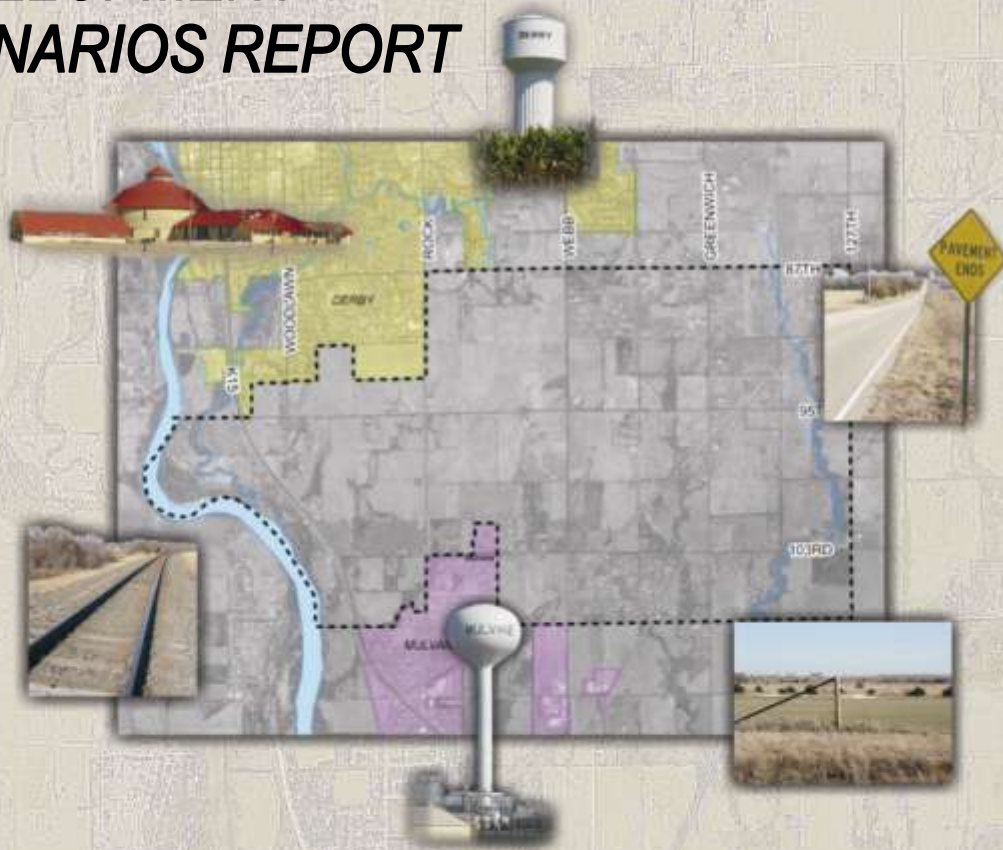


# DERBY-MULVANE JOINT AREA PLAN

## ***APPENDIX F: DEVELOPMENT SCENARIOS REPORT***

**2010-2030**



MAY 2010



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## Overview

The draft Derby-Mulvane Joint Area Plan recommends changing the existing zoning of select plan area parcels larger than 20 acres. The zoning change would require a minimum lot size of 20 acres. The purpose of the zoning change is to:

1. Better ensure that the most efficient and effective municipal services can be provided in the plan area in the future;
2. Better protect the ability to utilize properties for agricultural purposes; and
3. Better ensure that infrastructure is appropriately matched to the type of development occurring in the area.

The parcels proposed for rezoning meet all of the following criteria:

1. Are larger than 20 acres in size;
2. Currently in agricultural use (according to the County Appraiser's records); and
3. Designated on the draft Derby-Mulvane Joint Area Plan Recommended 2030 Future Land Uses Guide for use other than Rural Residential Acreage.

The recommended zoning change would require a minimum lot size of 20 acres and would prevent property owners with less than 40 acres from dividing their property into two or more properties. This would impact approximately 23 property owners (15% of the plan area), shown on the following map. In order to divide their property into two or more properties, the owners would need to request a zoning change to a zoning district with a smaller minimum lot size. The property owners would also have the option of applying for an accessory apartment if they want to develop a second dwelling unit on the property.

Property owners could potentially acquire a building permit for a second dwelling on their property by applying for an accessory apartment. The Wichita-Sedgwick County Zoning Code includes a provision that allows a property owner to develop an accessory apartment (single-family dwelling) on their property. The accessory apartment is an accessory use to the first single-family dwelling that utilizes the same service connections (sewer lines, water lines, electric, etc.) and no additional parcels or tracts are needed. This provision would remain in effect as part of the recommended zoning change to require a minimum lot size of 20 acres. If property owners utilize this provision, it could make it difficult for the property owners to acquire a mortgage for the second dwelling without putting the property and first dwelling up as collateral.

# Derby-Mulvane Joint Area Plan Proposed Zoning Change Parcels Larger than 20 Acres, but Smaller than 40 Acres



- |                                   |  |
|-----------------------------------|--|
| Plan Boundary                     | <b>Significant Roadway Improvements</b>    |
| Large Size Parcel Labels          | <b>Project (Estimated Completion Year)</b> |
| Parcels > 20 Acres and < 40 Acres | Proposed Arkansas River Bridge (2020)      |
|                                   | Proposed Parkway (2030)                    |

## Possible Zoning Change Option

The recommended zoning change within the plan area to require a minimum lot size of 20 acres for select parcels in the plan area could be accomplished by utilizing a zoning overlay district. The overlay district would not change the existing base zoning, but would add additional conditions (20 acre minimum lot size in this case). Below is an example of what the overlay district language might look like.

### Example Zoning Regulation

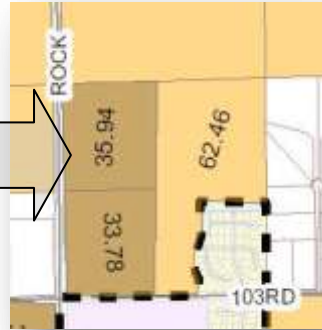
#### **LL Large Lot Overlay District (“LL-O”)**

- a. Purpose.** The LL-O Large Lot Overlay District is intended to protect agricultural uses and preserve the ability for efficient and effective municipal services to be provided in the future.
- b. Applicability.** The LL-O Large Lot Overlay District is intended to be applied in combination with RR Rural Residential zoning District.
- c. Property development standards.** Each site in the LL-O District shall be subject to the property development standards of the Underlying zoning District except the following:
  - a. Minimum Lot Area: **20** acres



### Example: 35 Acre Unplatted Property

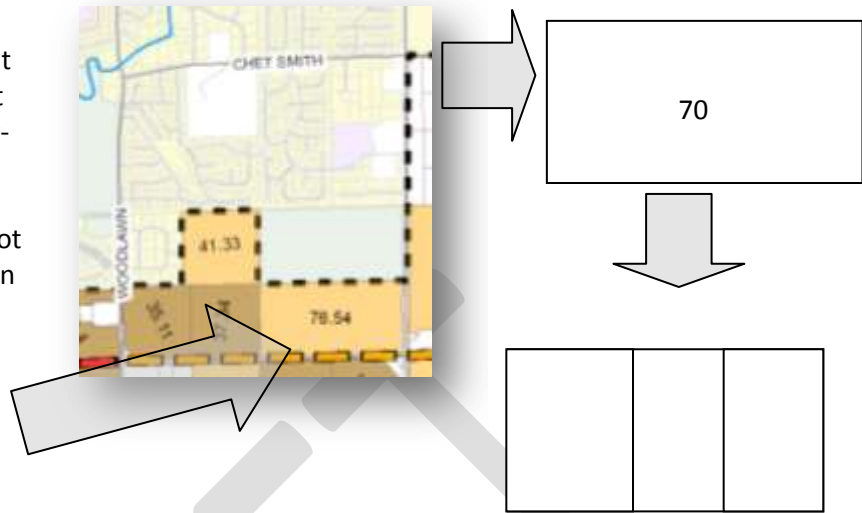
A property owner has approximately 35 acres of vacant agricultural land located northeast of the intersection of 103<sup>rd</sup> Street South and Rock Road. The Derby-Mulvane Joint Area Plan recommends changing the zoning of the property to require a minimum lot size of 20 acres. The property is located within the Mulvane Zoning Area of Influence and Mulvane Extraterritorial Subdivision Authority Area



<b>Note: This table lists general details, additional reviews may be required. All applications are subject to review and approval/disapproval.</b>				
Desired Action	Desired Property Configuration	Action (1)	Action (2)	Action (3)
Construct a single-family dwelling	On existing parcel	Apply for building permit from Sedgwick County	None	None
Construct one single-family dwelling and an accessory single-family dwelling	On existing parcel	Apply for conditional use from the Wichita-Sedgwick County Metropolitan Area Planning Department	Apply for building permit from Sedgwick County Code Enforcement	None
Construct a single-family dwelling	On a new parcel created from existing parcel	Have new property recorded at the Sedgwick County Register of Deeds (using proposed exemption)	Apply for a building permit from Sedgwick County Code Enforcement	None
Construct a single-family dwelling	On multiple new parcels created from the existing parcel	Apply for a rezoning with the Wichita-Sedgwick County Metropolitan Area Planning Department	Apply for plating of the property through the City of Mulvane	Apply for a building permit from Sedgwick County Code Enforcement

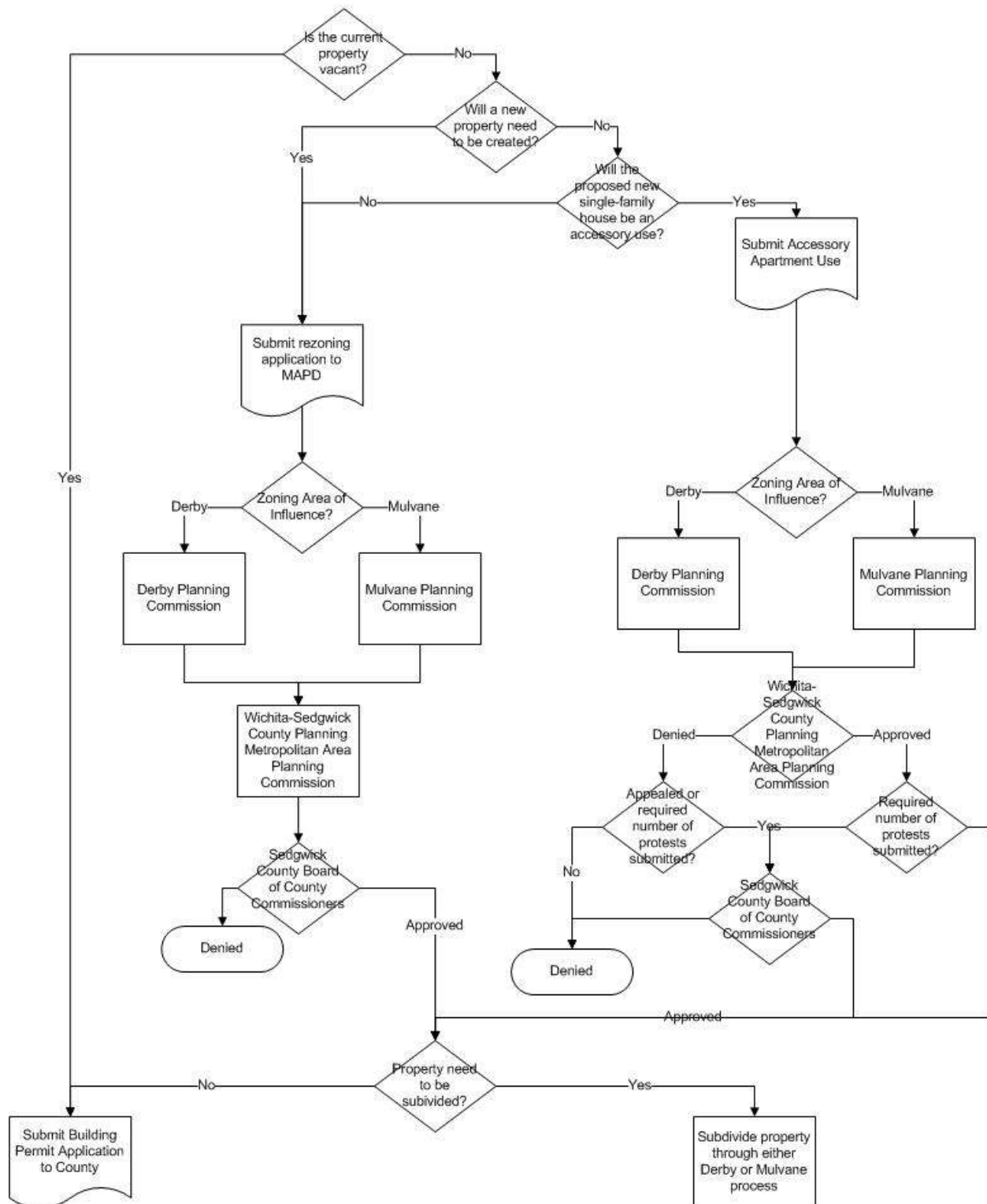
### Example: 76 Acre Unplatted Property

A property owner has approximately 76 acres of unplatted land located northwest of the intersection of 95th Street South and Rock Road. The Derby-Mulvane Joint Area Plan recommends rezoning of the property to require a minimum lot size of 20 acres. The property is in agricultural use and has a single-family dwelling. The property is located within the Derby Zoning Area of Influence and Derby Extraterritorial Subdivision Authority Area



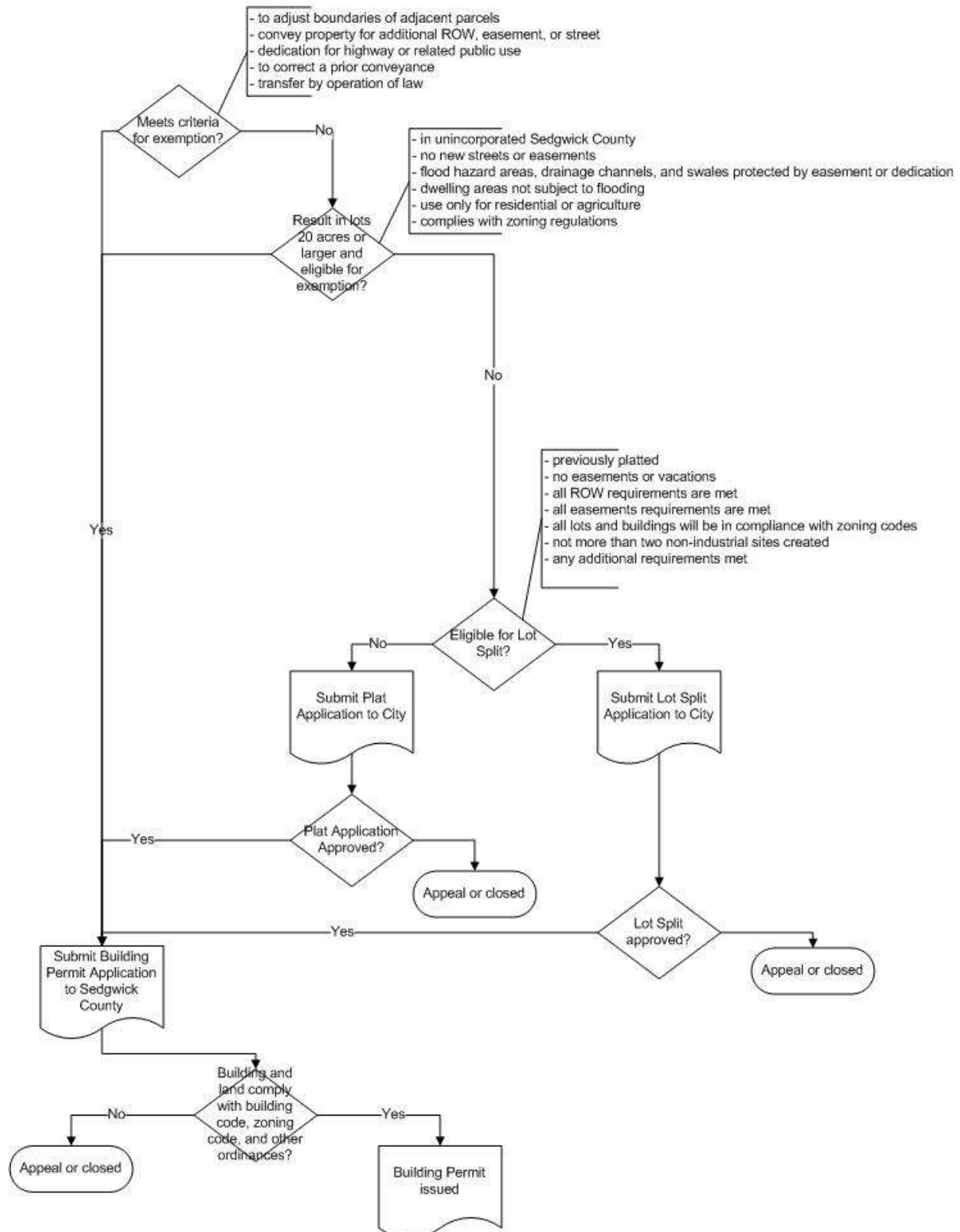
<b>Note: This table lists general details, additional reviews may be required. All applications are subject to review and approval/disapproval.</b>				
Desired Action	Desired Property Configuration	Action (1)	Action (2)	Action (3)
Construct one single-family dwelling and an accessory single-family dwelling	On existing parcel	Apply for conditional use from the Wichita-Sedgwick County MAPD	Apply for building permit from Sedgwick County Code Enforcement	None
Construct a single-family dwelling	On a new parcel smaller than 20 acres created from the existing parcel	Apply for a rezoning with the Wichita-Sedgwick County Metropolitan Area Planning Department	Apply for plating of the property through the City of Mulvane	Apply for a building permit from Sedgwick County Code Enforcement
Construct a single-family dwelling	On a new parcel larger than 20 acres created from the existing parcel	Have new property created at the Sedgwick County Register of Deeds	Apply for a building permit from Sedgwick County Code Enforcement	None
Construct multiple single-family dwellings	On new parcels smaller than 20 acres each in size created from the existing parcel (1 dwelling per parcel)	Apply for a rezoning with the Wichita-Sedgwick County Metropolitan Area Planning Department	Apply for plating of the property through the City of Mulvane	Apply for a building permit from Sedgwick County Code Enforcement

# Wichita-Sedgwick County Zoning Process (short version)

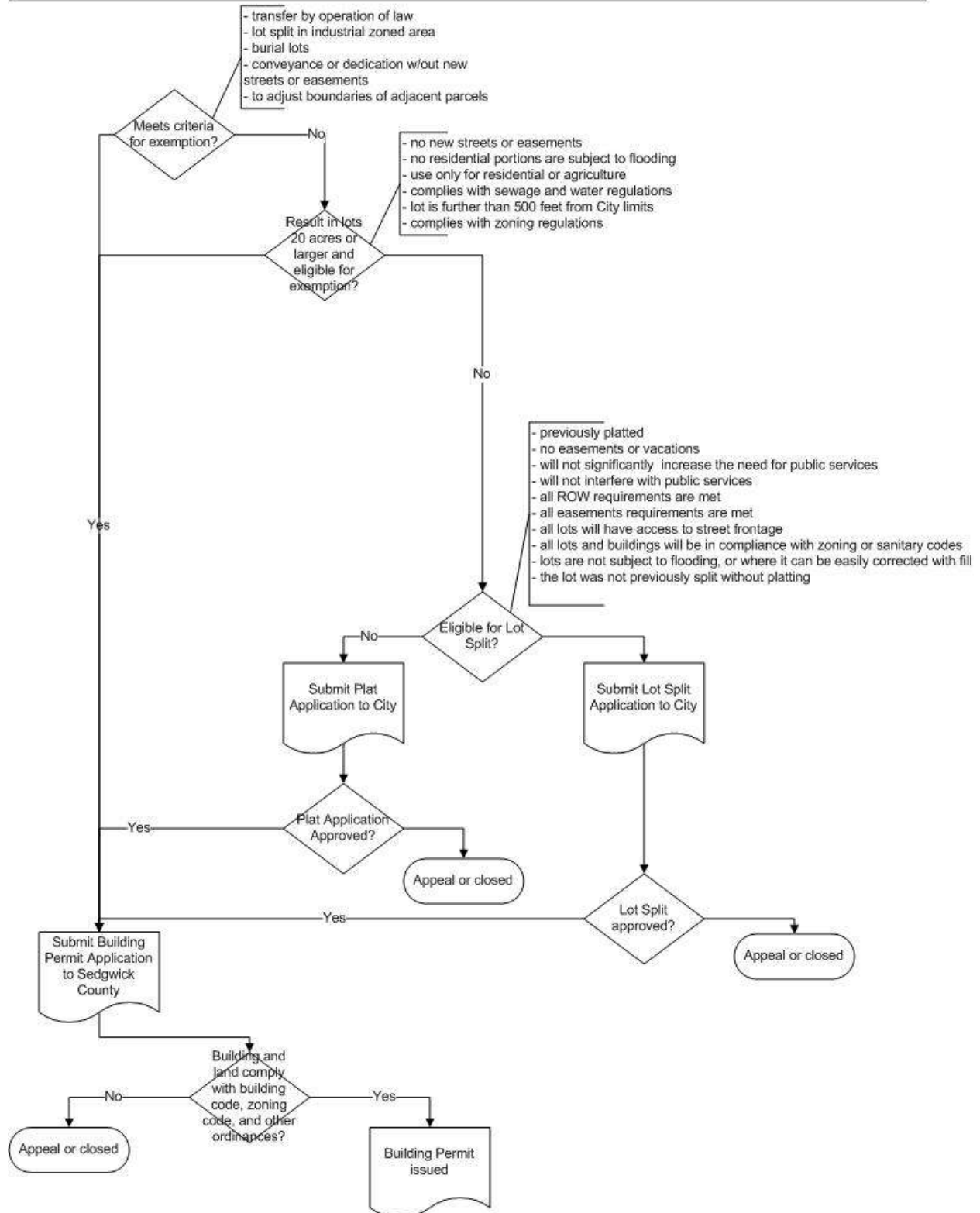




# City of Derby Subdivision Regulations (short version)



# City of Mulvane Subdivision Regulations (short version)



## Costs

What	Where	Administrator	Costs
Building Permit	Unincorporated Sedgwick County	Department of Code Enforcement	\$0.19/finished sq. ft. \$0.15/unfinished sq. ft.
Zoning Change RR, SF-20, SF-10, SF-5, TF-3	Unincorporated Sedgwick County	Wichita-Sedgwick County Metropolitan Area Planning Department	\$440 + \$22/Acre
Recording deed	Sedgwick County	Sedgwick County Register of Deeds	\$8.00 for first page \$4.00/second page and each additional page
Conditional Use	Unincorporated Sedgwick County	Wichita-Sedgwick County Metropolitan Area Planning Department	\$330 for residential use
Survey	Required for recording a deed	Property owner	Varies
Mulvane Platting	Required for subdivision of property in the City of Mulvane or Mulvane Extraterritorial Subdivision Area	City of Mulvane	\$200.00 + \$5.00 per lot over one
Derby Platting	Required for subdivision of property in the City of Derby or Derby Extraterritorial Subdivision Area	City of Derby	\$500 plus \$10.00 per lot or acre
Engineering	Maybe required for platting	Property owner	Varies
Certified Mailing List (from title company)	Required for rezoning	Property owner	Varies
Mulvane Drainage Basin Fee	Required if located in Mulvane drainage basin service area	City of Mulvane	\$750 per acre